5795207/2022/TAPPAL-REV01

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - Sri N.Sudhakara Rao, the then Tahsildar, H.M.Padu, Prakasm District (Retd) - Violation of APCS (Conduct) Rules, 1964 - Departmental proceedings under rule 20 of A.P.C.S. (CC & A) Rules, 1991 r/w Rule 9 of A.P.R.P.Rules, 1980 - Articles of charges - Issued.

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REVENUE (VIGILANCE.III) DEPARTMENT

G.O.Rt.No.281 Dated:18.04.2022.

Read the following:-

1. From the CCLA, Lr.Ref:V igilance/VSII(1)/667/2021, Dt:10/01/2022.
2. G.O.Ms.No.263, Revenue (Vig.III) Department, Dt:18.04.2022.

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ORDER:

In pursuance of the sanction accorded in the reference 2nd read above, it is proposed to hold an enquiry against Sri N.Sudhakara Rao, the then Tahsildar, H.M.Padu, Prakasm District (Retd) in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the enquiry is proposed to be held is set out in the enclosed statement of Articles of charges (Annexure—I). A statement of imputations of misconduct or misbehavior in support of each article of charge is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charges are proposed to be sustained are also enclosed (Annexure - III & IV).

3. Sri N.Sudhakara Rao, Tahsildar (Retd) is directed to submit, within 10 days of the receipt of this order, a written statement of his defense.

4. Sri N.Sudhakara Rao, Tahsildar (Retd) is informed that an enquiry will be held only in respect of those articles of charges as are not admitted. He should therefore, specifically admit or deny each article of charge.

5. Sri N.Sudhakara Rao, Tahsildar (Retd) is further informed that if he does not submit his written statement of defense on or before the date specified in Para—3 above, further action will be processed based on the material available.

6. Attention of Sri N.Sudhakara Rao, the then Tahsildar, H.M.Padu, Prakasm District (Retd) is invited to Rule 24 of A.P.C.S (Conduct) Rules 1964, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings it will be presumed that Sri N.Sudhakara Rao, the then Tahsildar, H.M.Padu, Prakasm District (Retd) is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G. SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

To
Sri N.Sudhakara Rao, the then Tahsildar, H.M.Padu, Prakasm District (Retd) through the Collector & District Magistrate, Prakasam District, Ongole.

Copy to:
The Chief Commissioner of Land Administration, A.P., Vijayawada.
The Collector & District Magistrate, , Prakasam District, Ongole.
Sf/Sc.

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE - I

ARTICLES OF CHARGE FRAMED AGAINST SRI N.SUDHAKARA RAO, THE THEN TAHSILDAR, H.M.PADU, PRAKASAM DISTRICT

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Article of Charge -1: That Sri N.Sudhakara Rao, Tahsildar (Rtd.) while working as Tahsildar, H.M.Padu has made entries irregularly in web-land in favour of Sri Madugula Srinivasulu for the land measuring Ac.5.00 cents in Sy.No.226-1 of Mahammadapuram Village of H.M.Padu Mandal which is classified as "Gayalu" and which was assigned to Sk.Pedda Kasamma, W/o Meera Saheb in Fasli 1388 without following the due procedure and has violated the guidelines contemplated under Section - 4,5,6 of A.P.Rights in Land and Pattadar Pass Books Act, 1971 and Rules - 16, 17, 18 of A.P. Rights in Land and Pattadar Pass Books Rules, 1989 r/w CCLA's Circular No.Lr.II/ROR2/712B/2016, dated: 02.07.2016 while accepting the claim no. RMU012106218794 for mutation and issuance of PPB in favour of Sri Madugula Srinivasulu.

Thus, Sri N.Sudhakara Rao, former Tahsildar, H.M.Padu (now retired), deliberately violated the rules, which amounts to misconduct and exhibited lack of integrity, devotion to duty which is unbecoming for Government Servant and thereby violated Rule 3 of APCS[Conduct] Rules,1964. Hence the Charge.

Article of Charge -2: That Sri N.Sudhakara Rao, Tahsildar (Rtd.) while working as Tahsildar, H.M.Padu has made entries irregularly in web-land in favour of Sri Madugula Mahalakshmi, D/o Palakaiah for the land measuring Ac.4.73 cents in Sy.No.226-2 of Mahammadapuram Village of H.M.Padu Mandal which is classified as "Gayalu" and which was assigned to Sk.Pedda Kasamma, W/o Meera Saheb in Fasli 1388 without following the due procedure and has violated the guidelines contemplated under Section - 4,5,6 of A.P.Rights in Land and Pattadar Pass Books Act, 1971 and Rules - 16, 17, 18 of A.P. Rights in Land and Pattadar Pass Books Rules, 1989 r/w CCLA's Circular No.Lr.II/ROR2/712B/2016, dated: 02.07.2016 while accepting the claim no. RMU012106602922 for mutation and issuance of PPB in favour of Madugula Mahalakshmi.

Thus, Sri N.Sudhakara Rao, former Tahsildar, H.M.Padu (now retired), deliberately violated the rules, which amounts to misconduct and exhibited lack of integrity, devotion to duty which is unbecoming for Government Servant and thereby violated Rule 3 of APCS[Conduct] Rules,1964. Hence the Charge.

Article of Charge -3: That Sri N.Sudhakara Rao, Tahsildar (Rtd.) while working as Tahsildar, H.M.Padu has made entries irregularly in web-land in favour of Sri Nagisetty Varalakshmi, W/o Suresh for the land measuring Ac.5.30 cents in Sy.No.369-1 of Vemulapadu Village of H.M.Padu Mandal which is classified as "Government land" and which was assigned to Dammu Chennaiah in the year 1971 without following the due procedure and has violated the guidelines contemplated under Section - 4,5,6 of A.P.Rights in Land and Pattadar Pass Books Act, 1971 and Rules - 16, 17, 18 of A.P. Rights in Land and Pattadar Pass Books Rules, 1989 r/w CCLA's Circular No.Lr.II/ROR2/712B/2016, dated: 02.07.2016 while accepting the claim no. RMU012106623431 for mutation and issuance of PPB in favour of Sri Nagisetty Varalakshmi, W/o Suresh.

Thus, Sri N.Sudhakara Rao, former Tahsildar, H.M.Padu (now retired), deliberately violated the rules, which amounts to misconduct and exhibited lack of integrity, devotion to duty which is unbecoming for Government Servant and thereby violated Rule 3 of APCS[Conduct] Rules,1964. Hence the Charge.

G. SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE - II

STATMENT OF IMPUTAITONS OF MISCONDUCT OR MISBEHAVIOU IN SUPPORT OF ARTICLES OF CHARGE FRAMED AGAINST SRI N.SUDHAKARA RAO, THE THEN TAHSILDAR, H.M.PADU, PRAKASAM DISTRICT

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1. The Sub-Collector, Kandukur has reported that as per the directions of the District Collector, Prakasam, the Forest Settlement Officer, Ongole has made a surprise visit to the office of Tahsildar, H.M.Padu Mandal and found certain irregularities in issuance of PPB/TD to the following persons.

Sl.No.	Name of the Village	Sy.No.	Extent (Ac. Cents)	PPB issued in favour of
1	Mahammadapuram	226-1	5.00	Madugula Srinivasulu S/o Palankaiah
2	Mahammadapuram	226-2	4.73	Madugula Mahalakshmi D/o Palankaiah
3	Vemulapadu	369-1	5.30	Nagisetty Varalakshmi W/o Suresh

2. Further, the Sub-Collector, Kandukur further reported that she has enquired into the matter and furnish report as follows:

Case-1: RMU012106218794 in favour of Madugula Srinivasulu

- As per F.L.R of Mahammadapuram Village, Sy.No.226 admeasuring an extent of Ac.9.73 cents is classified as "Gayalu" [Government land].
- As per D.K.Register for Fasli 1388, D-Form Patta was granted to Sk.Pedda Kasamma W/o Meera Saheb to an extent of Ac.5.00 Cents in Sy.No.226.
- It is revealed during the enquiry conducted with Tahsildar and VRO that the subject land was not under possession of either Sk.Pedda Kasamma or her legal heirs. Further, no resumption orders were produced during the enquiry, if any, passed due to violation of conditions for grant of assignment by Sk.Pedda Kasamma or her legal heirs.
- **No valid record produced during the enquiry to verify genuineness of a copy of D-Form patta produced by the claimant Sri Madugula Srinivasulu showing that it was issued vide F.Dis.No.105/2001 on the file of Tahsildar, H.M.Padu.**
- **DKT Register, FLR tells about the nature of land which were not verified by all three officials.**
- **No assignment committee register indicating grant of patta to new assignee was found out or verified.**

- **Lapse:** Sri N.Sudhakar Rao, Tahsildar, H.M.Padu, Sri P.V.Siva Prasad, the then MRI and present FI, Markapur and Sri B.Narasimham, Village Revenue Officer, Vemulapadu Cluster of H.M.Padu Mandal have violated the guidelines contemplated under Section - 4,5,6 of A.P.Rights in Land and Pattadar Pass Books Act, 1971 and Rules - 16, 17, 18 of A.P. Rights in Land and Pattadar Pass Books Rules, 1989 r/w CCLA's Circular No.Lr.II/ROR2/712B/2016, dated: 02.07.2016 while accepting the claim no. RMU012106218794 for mutation and issuance of PPB in favour of Sri Madugula Srinivasulu.

  i. Verification of records not done

  ii. In case of doubtful nature, the above 3 officials should not have acted on a copy of a patta said to have been issued 20 years ago without conducting proper enquiry and verifying its genuineness with reference to basic record i.e. DKT Register and other village records.

(Contd....Page.2)

Case-2: RMU012106602922 in favour of Smt.Madugula Mahalakshmi

- As per F.L.R of Mahammadapuram Village, Sy.No.226 admeasuring an extent of Ac.9.73 cents is classified as "Gayalu" [Government land].
- As per D.K.Register produced during the enquiry, no D-Form Patta was granted to an extent of Ac.4.73, which is left over govt.land after assigning an extent of Ac.5.00 Cents in Sy.No.226 in favour of Sk.Pedda Kasamma W/o Meera Saheb.
- **No valid document in favour of Madugula Mahalakshmi showing her right over the subject land.**
- **Lapse:** Sri N.Sudhakar Rao, Tahsildar, H.M.Padu, and Sri B.Narasimham, Village Revenue Officer, Vemulapadu Cluster of H.M.Padu Mandal have violated the guidelines contemplated under Section - 4,5,6 of A.P.Rights in Land and Pattadar Pass Books Act, 1971 and Rules - 16, 17, 18 of A.P. Rights in Land and Pattadar Pass Books Rules, 1989 r/w CCLA's Circular No.Lr.II/ROR2/712B/2016, dated: 02.07.2016 while accepting the claim no. RMU012106602922 for mutation and issuance of PPB in favour of Smt.Madugula Mahalakshmi W/o Ramesh.

  i. Verification of records not done

  ii. Without any valid document showing acquisition of right in favour of claimant and in absence of valid D-Form Patta, the above 2 officials should not have acted merely on the ground that they are cultivating the said land.

Case-3: RMU012106623431 in favour of Smt.Nagisetty Varalakshmi

- As per R.S.R of Vemulapadu Village, Sy.No.369 admeasuring an extent of Ac.9.36 cents is classified as "Government land".
- As per typed copy of D.K.Register produced during the enquiry, D-Form patta was granted to Sri Dammu Chennaiah for an extent of Ac.5.30 cents in Sy.No.369/1 during the year 1971.
- It is revealed during the enquiry conducted with Tahsildar and VRO that the subject land was not under possession of either Dammu Chennaiah or his legal heirs. Further, no resumption orders were produced during the enquiry, if any, passed due to violation of conditions for grant of assignment by Dammu Chennaiah or his legal heirs.
- **No valid document in favour of Nagisetty Varalakshmi showing her right over the subject land.**
- **Lapse:** Sri N.Sudhakar Rao, Tahsildar, H.M.Padu, and Sri B.Narasimham, Village Revenue Officer, Vemulapadu Cluster of H.M.Padu Mandal have violated the guidelines contemplated under Section - 4,5,6 of A.P.Rights in Land and Pattadar Pass Books Act, 1971 and Rules - 16, 17, 18 of A.P. Rights in Land and Pattadar Pass Books Rules, 1989 r/w CCLA's Circular No.Lr.II/ROR2/712B/2016, dated: 02.07.2016 while processing claim no. RMU012106623431 and updating in online 1-B (Webland) in favour of Smt.Nagisetty Varalakshmi W/o Suresh.

  i. Verification of records not done

  ii. Without any valid document showing acquisition of right in favour of claimant and already the subject land was assigned in favour of one Dammu Chennaiah, the above 2 officials should not have acted merely on the ground that they are cultivating the said land.

(Contd....Page.3)

3. As could be seen from the report of the Sub-Collector, Kandukur, it is observed that the lands in question in Mahammadapuram and Vemulapadu Village of H.M.Padu Mandal which were classified as Government lands, Sri N.Sudhakara Rao, the then Tahsildar, H.M.Padu (now retired on 31.07.2021), Sri P.V.Siva Prasad, the then Mandal Revenue Inspector, H.M.Padu and present F.I, Markapur, Sri B.Narasimham, Village Revenue Officer, Vemulapadu Village of H.M.Padu Mandal have violated the guidelines contemplated under A.P.Rights in Lands in Pattadar Pass Books Act, 1971 and Rules, 1989 committed irregularities intentionally to alienate the Government lands to the ineligible persons and entries were made in the webland irregularly.

4. Hence, it is proposed to initiate disciplinary action against Sri N.Sudhakara Rao, former Tahsildar, H.M.Padu (now retired from service on 31.07.2021).

G. SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE - III

LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGE FRAMED AGAINST SRI N.SUDHAKARA RAO, THE THEN TAHSILDAR, H.M.PADU ARE PROPOSED TO BE SUSTAINED.

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1. Sub-Collector, Kandukur, Rc.B/652/2021, dated.26.07.2021.
2. U.O.Note to the Administrative Officer, Collector's Office, Ongole, Rc.D6/316/2021, dated.30.07.2021.

G. SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE - IV

LIST OF WITNESS BY WHOM THE ARTICLES OF CHARGE FRAMED AGAINST THAT SRI N.SUDHAKARA RAO, THE THEN TAHSILDAR, H.M.PADU (NOW RETIRED) ARE PROPOSED TO BE SUSTAINED.

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1. Sub-Collector, Kandukur

G. SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

//FORWARDED::BY ORDER//

SECTION OFFICER